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United States of America

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12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

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16 ROSANNA WILSON-FARROW,  
17 Plaintiff,  
18 v.  
19 UNITED STATES OF AMERICA,  
20 Defendant.

Case No. 14-cv-00112-MEJ

**STIPULATION AND [PROPOSED]  
ORDER RE DISMISSAL OF  
PLAINTIFF'S CLAIMS FOR  
NEGLIGENT SUPERVISION,  
TRAINING, AND FAILURE TO  
ADOPT/ENFORCE RULES**

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23 Pursuant to Federal Rule of Civil Procedure 41(a), Plaintiff Rosanna Wilson-Farrow  
24 ("Plaintiff") and Defendant United States of America hereby stipulate and agree to dismiss,  
25 without prejudice, the following claims outlined in paragraph 18 of Plaintiff's Complaint in the  
26 above-captioned action:

27  
28 VOLUNTARY DISMISSAL  
14-CV-00112 MEJ

- 1                     (a) Failing to supervise and monitor the treatment and care rendered to Decedent while  
2                         he was a patient in its facilities when it knew or should have known that its staff did  
3                         not possess the training, experience, skills, and judgment to treat him properly;  
4                     (b) Failing to ensure that Defendant's treatment was in accordance with Defendant's  
5                         policies and procedures when it knew or should have known that its medical and  
6                         nursing personnel were not properly treating Mr. Farrow;  
7                     (c) Failing to train those providing treatment and care to Decedent;  
8                     (h) Failing to adopt and/or enforce rules, regulations, and procedures to ensure proper  
9                         medical care for Decedent; and  
10                    (i) Failing to adopt and/or enforce rules, regulations and procedures to ensure adequate  
11                         and timely consultations with Decedent.

12 Plaintiff's Complaint at ¶¶ 18(a)-(c), (h), and (i).

13                     SO STIPULATED AND AGREED.

15 Dated: August 21, 2015

16                     Respectfully,

17                     MELINDA HAAG  
United States Attorney

18                     /s/ Robin M. Wall

19                     ROBIN M. WALL  
Assistant United States Attorney  
20                     Attorneys for Defendant

22                     SMITH LAW OFFICES, APC

23                     /s/ Paul J. Burkhardt

24                     PAUL J. BURKHART  
25                     Attorneys for Plaintiff

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VOLUNTARY DISMISSAL  
14-CV-00112 MEJ

**CERTIFICATION**

Pursuant to Civil L.R. 5-1(i)(3), the undersigned hereby attests that Paul J. Burkhart has concurred in the filing of this document.

Dated: August 21, 2015

MELINDA HAAG  
United States Attorney

/s/ Robin M. Wall

ROBIN M. WALL  
Assistant United States Attorney  
Attorney for Defendants

**-[PROPOSED] ORDER**

Pursuant to the above stipulation of the parties, Plaintiff's claims for negligent supervision, training, and failure to enforce or adopt rules, regulations, and procedures, as alleged in paragraphs 18(a)-(c), (h), and (i) of Plaintiff's Complaint, are dismissed from the above-captioned action without prejudice.

**IT IS SO ORDERED.**

Dated: August 21, 2015



HON. MARIA-ELENA JAMES  
UNITED STATES MAGISTRATE JUDGE